

Our Reference: NNA-222-B
(NML 04-00894)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tsutomu Yajima
Serial Number: 10/574,358
Filing Date March 30, 2006
Examiner/Art Group Unit: Unknown/Unknown
Title: INVERTER BUFFER STRUCTURE FOR A
HYBRID VEHICLE

RESPONSE TO 371 FORMALITIES LETTER AND
REQUEST FOR A NOTICE OF ACCEPTANCE AND A FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On June 3, 2008, a 371 Formalities Letter (Notification of Missing Requirements) issued from Shakeel Ahmed indicating that an Oath or Declaration was due for this National Stage filing of PCT/IB2005/003122 (priority date October 20, 2004). Although Applicant submitted a Declaration signed by Applicant Tsutomu Yajima at the time of filing the National Stage application (on 30 March 2006), the Formalities Letter indicated two supposed deficiencies. First, a second inventor listed on the face of the International Publication corresponding to the subject application (WO 2006/054134) was not included on the Declaration. Second, the first inventor was listed as Wataru Yajima on the face of the International Publication.

In response to this Formalities Letter, the undersigned contacted the International Bureau at WIPO via facsimile on July 1 and 7 regarding their failure to issue a Form PCT/IB/306 removing the second inventor in response to a timely request to do so pursuant to Rule 92bis (the request to remove the second inventor was filed with the IB on January 19, 2006). Since the PCT Request as originally filed with the IB listed the first inventor as Tsutomu Yajima, the undersigned also informed the IB at that time that the name for first inventor Tsutomu Yajima was incorrect on the face of the International Publication.

In response to our queries, the IB issued a Form PCT/IB/306 dated August 11, 2008, removing the second inventor Shigeaki Takahashi (attached hereto as Exhibit

A). The IB attached this Form to a cover letter indicating that a republication of the front page to correct the sole inventor's name to YAJIMA, Tsutomu would occur on September 25, 2008. Applicant sent this information to Shakeel Ahmed on August 26, 2008 via facsimile. As of September 25, 2008, the Formalities Letter indicating a deficiency in the Declaration had not been withdrawn.

On September 25, 2008, the undersigned retrieved a copy of a "Corrected Version" of the cover sheet of the International Publication issued by the IB (attached as Exhibit B). As can be seen in Exhibits A and B, the Declaration as filed with the application on 30 March 2006 was properly executed by the only inventor of record. Accordingly, Applicant respectfully submits that the application is complete and requests withdrawal of the 371 Formalities Letter, issuance of a Notice of Acceptance of Application under 371 and issuance of a Filing Receipt.

Applicants believe that there is no fee due for this Response as the Declaration was timely filed before the 30-month deadline as indicated by a comparison of the attached documents with the filed Declaration. However, in the event that the USPTO disagrees and believes that any charges or fees must be paid in connection with this communication, they may be paid out of our Deposit Account No. 25-0115.

If there are any questions regarding this response and request, please do not hesitate to contact the undersigned.

Respectfully submitted,

YOUNG BASILE HANLON
MACFARLANE & HELMHOLDT, P.C.


Michelle L. Knight
Registration No. 47,711
(248) 649-3333

3001 West Big Beaver Rd., Ste. 624
Troy, Michigan 48084-3107